

## BEST AVAILABLE COPY

212/206

## Declaration for Utility Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Pulmonary Vein Stent and Method for Use. the specification of which  is attached hereto

was filed on October 13, 2000 as Application No. 09/687,776 and  was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations Sec. 1.56(a). I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| Application Number | Country | Filing Date | Priority claimed |
|--------------------|---------|-------------|------------------|
|                    |         |             |                  |
|                    |         |             |                  |

I hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States' application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

| Application Number | Filing Date | Status |
|--------------------|-------------|--------|
|                    |             |        |
|                    |             |        |

First Inventor: Full Name: Peter A. Altman  
 Residence: South San Francisco, CA Citizenship USA  
 Post Office Address: 384 Oyster Point Blvd. #4, South San Francisco, CA 94080

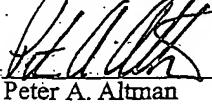
Second Inventor: Full Name: \_\_\_\_\_  
 Residence: \_\_\_\_\_ Citizenship \_\_\_\_\_  
 Post Office Address: \_\_\_\_\_

Third Inventor: Full Name: \_\_\_\_\_  
 Residence: \_\_\_\_\_ Citizenship \_\_\_\_\_  
 Post Office Address: \_\_\_\_\_

Fourth Inventor: Full Name: \_\_\_\_\_  
 Residence: \_\_\_\_\_ Citizenship \_\_\_\_\_  
 Post Office Address: \_\_\_\_\_

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and any patent issuing thereon.

Date: January 5, 2001

First Inventor   
Peter A. Altman

Date: \_\_\_\_\_

Second Inventor \_\_\_\_\_

Date: \_\_\_\_\_

Third Inventor \_\_\_\_\_

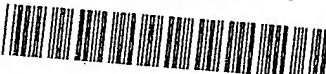
Date: \_\_\_\_\_

Fourth Inventor \_\_\_\_\_



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08-29-2002

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

102204423

SHEET PATENT

Docket No. 212/206

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof

1. Name of conveying party(ies)  
Expression Diagnostics, Inc.

2. Name and address of receiving party

Name: BioCardia DeviceCo, Inc.

Internal Address

8-21-02

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

- Assignment       Merger  
 Security Agreement =       Change of Name  
 Other

Street 384 Oyster Point Blvd. #4, South  
San Francisco, CA 94080

Execution Date: August 20, 2002

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No. 09/687,776

B. Patent No.

Additional Numbers attached?

 Yes  No5. Name and address of party to whom correspondence concerning  
this document should be sent

6. Total number of applications and patents involved: 1

Name: K. David Crockett, Esq.

7. Total fee (37 CFR 3.41): \$ 40.00

Internal Address:

 EnclosedStreet Address: Crockett & Crockett  
24012 Calle De La Plata, Suite 400  
City: Laguna Hills State: California ZIP 92653 Authorized to be charged to deposit account

8. Deposit Account Number: 03-3700

Please charge this Deposit Account if any additional fee is required.  
(Attach duplicate copy of this page if paying by deposit account.)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief the foregoing information is true and correct and any attached copy is a true copy of  
the original document.  
Date: August 21, 2002

K. David Crockett, Esq., Reg. No. 34,311

Total number of pages comprising cover sheet:

OMB No. 0651-0011 (exp. 4/94)

08/29/2002 TDI A21 00000018 033700 09687776

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40.00 CH

**Assignment of Invention and Patent Application**

For value received, EXPRESSION DIAGNOSTICS, INC. (formerly BioCardia, Inc.), the undersigned owner (hereinafter ASSIGNOR), having received ownership by assignment executed January 5, 2001 and recorded in the United States Patent and Trademark Office on January 22, 2001 at reel 011500, frame 0730 hereby does sell, assign, transfer, and set over unto BioCardia, Inc. (formerly BioCardia DeviceCo, Inc.) and their successors or assigns (hereinafter ASSIGNEES) all of the following: (A) ASSIGNOR'S right, title and interest in and to the invention entitled "Pulmonary Vein Stent and Method For Use" invented by ASSIGNEES; (B) the application for United States patent therefor U.S. Patent and Trademark Office Serial Number 09/687,776 filed October 13, 2000 and any patent or reissues or re-exams of any patent that may be granted thereon; (C) any applications which are continuations, continuations-in-part, substitutes, or divisions of said application; (D) all corresponding international and foreign patents and applications, including the PCT Application Serial Number PCT/U00/28488 filed October 13, 2000 and any patents granted thereon; and (E) the right to sue for past damages and provisional damages.

ASSIGNOR hereby further sells, assigns, transfers, and sets over unto ASSIGNEE, ASSIGNOR'S entire right, title and interest in and to said invention in each and every country foreign to the United States, including European Patent Application No. 00970917.1-2305; ASSIGNOR further conveys to ASSIGNEE all priority rights resulting from the above-identified application for United States patent.

ASSIGNOR agrees to execute all papers, give any required testimony and perform other lawful acts, at ASSIGNEE'S expense, as ASSIGNEE may require to enable ASSIGNEE to perfect ASSIGNEE'S interest in any resulting patent of the United States and countries foreign thereto, and to acquire, hold, enforce, convey, and uphold the validity of said patent and reissues and extensions thereof, and ASSIGNEE'S interest therein.

Date: 20 August 2002

  
\_\_\_\_\_  
Peter Altman  
President  
EXPRESSION DIAGNOSTICS, INC.

## POWER OF ATTORNEY

BioCardia, Inc.  
assignee(s) of the application for United States Letters Patent for  
Pulmonary Vein Stent and Method for Use  
invented by Peter A. Altman

filed herewith, or  having Serial No. 09/687,776, filed October 13, 2000  
a copy of the assignment of which is attached hereto, do(es) hereby appoint as attorneys of  
record with full power of substitution and revocation, to prosecute this application and transact  
all business in the Patent and Trademark Office connected therewith:

Practitioners at Customer Number 23371.

Please send correspondence to:

The above mentioned Customer Number.

I, the undersigned, declare that I am the (an) assignee of the above-identified application or, if the assignee is a corporation, partnership or other association, I am authorized to make this appointment on behalf of the assignee and I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Assignee's Name: BioCardia, Inc.

Assignee's Address: 384 Oyster Point Blvd. #4, South San Francisco, CA 94080

Signature: 

Date: January 5, 2001

Declarant's Name: Peter A. Altman

Declarant's Address: 384 Oyster Point Blvd. #4, South San Francisco, CA 94080